

1895-081

Chancery Causes: Richard Spurlock vs Elizabeth Spurlock

Lee Co.

Mursey, Payne, Pace, Blevins

CA-Divorce

T-Vicus

Migration

To the Honorable W.T. Miller, Judge of the Circuit court of Lee county:

Humbly complaining your orator, Richard Spurlock, would respectfully represent that for more than twelve months he has been a resident of this state and county. He would also represent that in the year 1890 he was married to one Elizabeth Munsey, with whom he lived for some time. He did all in his power to make a loving dutiful and providing husband, was loyal to his marital vows; but his said wife, unmindful of her obligations taken at the hymenial altar, committed adultery. She left her husband, your orator, and moved with another man to the state of Kentucky, where she has since resided in open, notorious and disgraceful adultery, as your orator is informed, believes and here charges.

Your orator here alleges that since his knowledge of his wife's unfaithfulness to him that he has not lived with, or cohabited with her. He here alleges that there is no fraud or collusion on his part in his wifes ^{+ not by his procurement or connivance} said acts, but charges that they were done without his knowledge or consent, and to his great distress and shame when they were learned by him. *And he also alleges it occurred less than five years*

The object therefore of this bill is to obtain a divorce dissolving the bonds of matrimony heretofore contracted and now existing between your orator and his said wife Elizabeth Spurlock; and his prayer is that she be made a party defendant to this bill and be required to answer the same, and that upon a final hearing of this cause the relief here sought be granted, together with all other, further and general relief as the equity of his cause may demand.

May spa. issuee, &c., and he will ever pray, &c.

Oss, Blount, Kershaw & Evans,
P.Q.

Pless Costs
 C 3.72
 Tax 1.50
 Court in Chy 1.50
 Printer 5.00
 Atty 15.00
 \$26.72

1898 to 1900

Richard Spurlock

vs. } Bill.

Elizabeth Spurlock.

On Blankenship & Co. P. & Co.

1895 1st May rules bill
 filed, Spr not executed
 & Contd for order Pub
 " 2nd May rules Contd
 for order Pub to Comptd
 " 1st June rules order Pub
 Comptd.

November Term 1895

Deere final O.B.K

Page 276

Pless Costs

C 3.72
 Tax 1.50
 Court in Chy 1.50
 Atty 15.00
 \$21.72

Richard Spurlock, Plaintiff

Against (In Chancery.

Elizabeth Spurlock, Defendant.

This cause, in which the Plaintiff appears to have proceeded against the Defendant, who is a no¹²-resident, in the mode prescribed by law against absent defendants, and the Defendant still having failed to appear and answer, came on this day to be heard on the bill of the Plaintiff and depositions of witnesses and was argued by counsel for the plaintiff; On consideration whereof, the Court being of opinion from the evidence that the allegations of said bill had been fully proven, it is adjudged, ordered and decreed that the marriage heretofore contracted and solemnized between the Plaintiff and the Defendant, be and the same are hereby dissolved; and that the said Richard Spurlock be forever divorced from the said Elizabeth Spurlock. And this cause is stricken from the docket.

Richard Sparbock
28. } Deeree final.
Elizabeth Sparbock
13

Q. B. P. 276

Enter this Deeree

M. J. M.

Nov. 13, 1895.

Richard Spurlock

Against (In Chancery.

Elizabeth Spurlock.

The depositions of John Payne, Richard Spurlock taken on the 2nd day of November 1895, at the office of Orr, Blankenship & Ewing, in the town of Jonesville, Virginia, before me, A. B. Munsey, Commissioner in Chancery for the Circuit Court of Lee County, Virginia, which depositions when taken are to be read in behalf of the Plaintiff in a certain Chancery cause now pending in the Circuit Court of Lee County, Virginia, wherein Richard Spurlock is Plaintiff and Elizabeth Spurlock is Defendant, and which case there has been an Order of Publication, completed.

Present: Blankenship & Ewing, counsel for Plaintiff.

John Payne a witness of lawful age being duly sworn deposes and says:

Ques. 1. Are you acquainted with the parties in this suit?

Ans. I am.

Ques. 2. State all that you know about the character of Mrs. Elizabeth Spurlock with reference to the commission of adultery?

Ans. It was generally known in the neighborhood where she lived that she was a woman of ill fame. I know the fact that she had illegal sexual communication with men other than her husband. After Richard her husband left his wife, she lived in a house with another man by the name of Pace, there was no other woman in the house when Mrs. Spurlock and Pace lived together. There was only one bed in the house where they lived.

Ques. 3. Has Richard ever lived with his wife since his separation from her.

No, he has not.

Ques. 4. How long has the plaintiff been a resident of this county?

Ans. The plaintiff has resided in this county for about three years to my knowledge.

And further this deponent saith not.

John Payne

Richard Surlock another witness of lawful age being duly sworn says:

Ques. 1. State what you know about the adultery of Elizabeth Spurlock, if you know her, and whether the you have ever lived with her since these acts came to you knowleged?

Ans. I am plaintiff in this case and know Elizabeth Spurlock. I suspected that my wife was guilty of adultery and on inquiry found that my suspicions were founded on facts. I then at once left her and have not resided with her since.

Ques. 2. Was there any agreement or collusion on your part as this adultery, or any wrongful acts on her part?

Ans. No there was not. I would have lived with her and cared for her as best I could had she not done these things. After leaving her I learned that her conduct in this line had been much worse than I had at first expected. I was never ^a false to my marital vows. I was much [^]grieved at these things, having married my wife in good faith.

The first I ever suspicioned was when something got wrong with my penis and I went to see a Dr. who told me that I had the "clap". I knew that had not touched any other woman and this led me to investigate.

And further this deponent saith not.

Richard Spurlock

Virginia Lee County to wit:

I A.B. Munsey Comr. in Chancery for the Circuit Court for Lee County Va do hereby Certify that the foregoing deposition of John Payne and Richard Spurlock were taken Subscribed and sworn to before me at the time and place as in the Caption set out Given under my hand this 2nd day of November 1898-

A.B. Munsey Comr.
in Chcy for Lee Co. Va

Richard Spurlock
vs } Depositions

Elizabeth Spurlock

Taken before me as
Counr in Chancery and
filed this the 2nd day
of November 1898-
AB Munsy Clk

Counr in Chcy ^{cto} 78

Richard Spurlock, Plaintiff
Against (In Chancery.
Elizabeth Spurlock, Defendant.

The deposition of W. C. Blevins taken on the Fourth day of November 1895, at the office of Orr, Blankenship & Ewing, in the town of Jonesville, Lee County, Virginia, before me, A. B. Munsey, Commissioner in Chancery of the Circuit Court of Lee County, Virginia, which deposition when taken is to be read in behalf of the Plaintiff in a certain chancery cause now pending in the Circuit Court of Lee County, Virginia, wherein Richard Spurlock is Plaintiff and Elizabeth Spurlock is Defendant, and in which case there has been an order of publication completed.

Present Orr, Blankenship & Ewing, counsel for Plaintiff.

W. C. Blevins a witness of lawful age being duly sworn deposes as follows:

Ques. 1. Are you acquainted with the Plaintiff and the Defendant in ~~this~~ this suit?

Ans. Yes, sir, I am.

Ques. 2. State all that you may ^{know} about the character of Mrs. Elizabeth Spurlock with reference to her virtue, etc?

Ans. I know that she is not a virtuous woman; I know that she has ^{had} sexual intercourse with other men than her husband since her marriage to him. I have seen her out in the bushes and old houses with men after night and day time both for the purpose of prostitution and lewdness. This has been within five years from this date, in fact has been inside of two years. I have heard her using indecent language to men on different occasions.

And further this deponent saith not.

W. C. Blevins

Virginia, Lee County, to-wit:-

I, A. B. Munsey, Commissioner in Chancery for the Circuit Court of Lee County, Virginia, do hereby certify that the foregoing deposition of W. C. Blevins was taken, subscribed and sworn to before me at the time and place and for the purposes mentioned in the caption of the same. Given under my hand this the 4th day of November 1895.

A. B. Munsey Commissioner in Chancery

Richard Spurlock
No } Deposition

Elizabeth Spurlock

Taken before me as
Comr in Chy and filed
November the 4th 1896
A. B. Munsey Clerk

Comrs fee 75^{cts}

In the Clerk's Office of the Circuit Court of the County of
See on the 1st day of May 1895.

Richard Spurlock Plaintiff
against

In Chancery

Elizabeth Spurlock Defendant.

The object of this suit is to obtain a decree dissolving the bonds
of Matrimony heretofore contracted and now existing
between plaintiff and defendant

And an affidavit having been made and filed that the defendant Elizabeth Spurlock

not resident of the State of Virginia, it is ordered that she do appear here, within Fifteen days
after due publication hereof, and do what may be necessary to protect their interest in this suit. And it is
further ordered that a copy hereof be published once a week for four weeks in the South west
Virginian, and that a copy be posted at the front door of the court-house of this County
on the first day of the next term of the County Court.

A copy—Teste:

Wm. Blankenship & Ewing p. q.

A B Mursey Clerk.

Richard Spurlock

VS.

ORDER
OF
PUBLICATION.

Elizabeth Spurlock

I A B Munsey Clerk
of the Circuit Court of
Lee County Va do Certify
that I posted an office
copy of the within at
the front door of the Court
house of Lee County on
the 1st day of the June
Term 1895-

A B Munsey
Clerk

In the Clerk's Office of the Circuit Court of the County of
Lee

Richard Spurlock Plaintiff
against

In Chancery

Elizabeth Spurlock Defendant

This day E. M. R. Ewing personally appeared
before me A. B. Munsey Clerk of the said Court,

and being duly sworn, made oath that Elizabeth Spurlock

defendant in the said suit is not a resident of the State of Virginia,

Given under my hand as Clerk of the said Court, this 1st day of May

1895

A. B. Munsey Clerk

Richard Spurlock

vs. { AFFIDAVIT FOR ORDER
OF
PUBLICATION.

Elizabeth Spurlock

Orr. B. Lewis p. q.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

WE COMMAND YOU, That you summon

Elizabeth Spurlock

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said

Court on the ~~1st~~ Monday in *May*, 1895, to answer a bill in Chancery,

exhibited against *her* in our said court by *Richard Spurlock*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

1st day of *May*, 1895, and in the *11th* year of the

Commonwealth.

A B Munsey Clerk.

A Copy Lett A B Munsey Clerk

vs. { SUPCENA
IN CHANCERY.

..... p. q.

To..... Rules,
Circuit Court.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

WE COMMAND YOU, That you summon

Elizabeth Spurlock

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said

Court on the *1st* Monday in *May*, 189*8*, to answer a bill in Chancery,

exhibited against *her* in our said court by *Richard Spurlock*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

1st day of *May*, 189*8*, and in the 11 *9th* year of the

Commonwealth.

A B Munsey Clerk.

Richard Spurlock

vs.

{ SUPRENA
IN CHANCERY.

Elizabeth Spurlock

Orr, B & Ewing p. q.

To 1st May Rules,
Circuit Court.

Not Executed, out
of the Commonwealth
this May 1st 1898.

J. M. Weston D. S.
for C. E. Flanary
S. L. C.

CERTIFICATE OF ORDER OF PUBLICATION.

We, A. M. Goins and W. H. Eads,
editors of the SOUTHWEST VIRGINIAN,
a weekly newspaper published at
Jonesville, Lee county, Virginia, do
hereby certify that the annexed no-
tice was published in said paper
once a week for four successive
weeks, commencing on the 7

day of May 1895:

Southwest Virginia
W. H. Eads } Editors.
M. G. Goins

VIRGINIA—In the Clerk's Office of the
Circuit Court of the County of Lee on
1st day of May 1895.

Richard Spurlock, Plaintiff.

Elizabeth Spurlock, Defendant.

The object of this suit is to obtain a de-
crece dissolving the bonds of matrimony
heretofore contracted and now existing be-
tween plaintiff and defendant. And an
affidavit having been made and filed that
the defendant Elizabeth Spurlock is not a
resident of the State of Virginia, it is or-
dered that she do appear here, within fif-
teen days after due publication hereof, and
do what may be necessary to protect her
interest in this suit. And it is further or-
dered that a copy hereof be published once
a week for four weeks in the Southwest
Virginian, and that a copy be posted at the
front door of the court-house of this county
on the first day of the next term of the
County Court.

A Copy—Teste:

A. B. MUNSEY, Clerk.

Orr, Blankenship & Ewing, p. 9.
m946

\$5.00